



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2005 REGULAR SESSION

HOUSE BILL NO. 449

WEDNESDAY, FEBRUARY 23, 2005

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 18, 2005
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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adler

AN ACT relating to indemnification.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 SECTION 1. A NEW SECTION OF KRS CHAPTER 371 IS CREATED TO
2 READ AS FOLLOWS:

3 (1) As used in this section:

4 (a) "Construction services contract" means:

5 1. A contract or agreement relating to the construction, alteration,
6 repair, addition to, subtraction from, improvement to, or maintenance
7 of any building, highway, road, railroad, excavation, or other
8 structure, project, development, or improvement attached to real
9 estate, including moving and demolition connected therewith; or

10 2. A contract or agreement relating to the planning, design,
11 administration, study, evaluation, consulting, or other professional
12 and technical support services provided in connection with any of the
13 work or activities described in subparagraph 1. of this subsection.

14 (b) "Contractor" means the person offering a contract for services provided.

15 (c) "Contractee" means the person providing services under a contract.

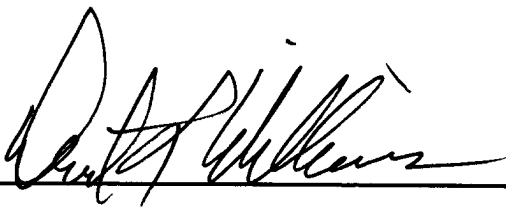
16 (2) Any provision contained in any construction services contract purporting to
17 indemnify or hold harmless a contractor from that contractor's own negligence
18 or from the negligence of his or her agents, or employees is void and wholly
19 unenforceable.

20 (3) This section does not apply to construction bonds or affect the validity of
21 insurance contracts.


22 (4) This section does not affect contracts or agreements entered into before the
23 effective date of this Act.



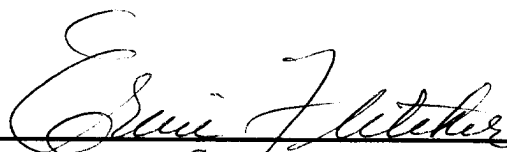
Speaker-House of Representatives



President of the Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date 